

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 0:24-cv-61777

JONPAUL MARCEL NADEAU,

Plaintiff,

v.

MONDIAL INTERNATIONAL REALTY,
LLC AND DMITRY SAPEROV,

Defendants.

**COMPLAINT FOR COPYRIGHT INFRINGEMENT
(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff JONPAUL MARCEL NADEAU by and through his undersigned counsel, brings this Complaint against Defendants MONDIAL INTERNATIONAL REALTY, LLC AND DMITRY SAPEROV for damages and injunctive relief, and in support thereof states as follows:

SUMMARY OF THE ACTION

1. Plaintiff JONPAUL MARCEL NADEAU (“Nadeau”) brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Nadeau's original copyrighted Works of authorship.

2. Nadeau is the owner and principal photographer of Aremac Photography, located in South Florida. Nadeau specializes in high quality interior and exterior photography, aerial footage, short HD films, and floor plans. He provides a detailed and customized finished product to every client. Nadeau has over 7 years experience working in the industry, and working alongside his mentor, he now expands his horizons to 3D tours and film.

SRIPLAW

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3. Defendant MONDIAL INTERNATIONAL REALTY, LLC (“MIR”) is Florida real estate company. At all times relevant herein, MIR owned and operated the internet website located at the URL <https://mondialrealty.com/> (the “Website”).

4. Defendant Dmitry Saperov (“Saperov”) is the founder, CEO, and principal broker of MIR.

5. Defendants MIR and Saperov are collectively referred to herein as “Defendants.”

6. Nadeau alleges that Defendants copied Nadeau's copyrighted Works from the internet in order to advertise, market and promote their business activities. Defendants committed the violations alleged in connection with Defendants' business for purposes of advertising and promoting sales to the public in the course and scope of the Defendants' business.

JURISDICTION AND VENUE

7. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

8. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

9. Defendants are subject to personal jurisdiction in Florida.

10. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendants engaged in infringement in this district, Defendants reside in this district, and Defendants are subject to personal jurisdiction in this district.

DEFENDANTS

11. Mondial International Realty, LLC is a Limited Liability Company, with its principal place of business at 4022 Long Leaf Lane, Hollywood, Florida 33121, and can be

served by serving its Registered Agent, Olesya Trayber, Esq., at 2750 NE 185 Street, # 206, Aventura, FL 33180

12. Dmitry Saperov is an individual residing, upon information and belief, in Miami-Dade county, state of Florida and can be served at 16385 Biscayne Blvd, #2916, North Miami Beach, FL 33160.

THE COPYRIGHTED WORKS AT ISSUE

13. The below table details the Copyright Titles, Registration Numbers and Registration Issue Dates of the works of intellectual property at issue in this case, one of which is shown below, and which are collectively referred to herein as the “Works.” Copies of the Works are attached hereto as Exhibit 1. Copies of the Registration Certificates are attached hereto as Exhibit 2.

<u>Copyright Title</u>	<u>Registration Number</u>	<u>Registration Issue Date</u>
DSC_1612	VA 2-246-797	04/02/2021
DJI_0026	VA 2-204-287	04/16/2020
DSC_4916	VA 2-204-287	04/16/2020
DSC_5008	VA 2-204-287	04/16/2020
DSC_5050	VA 2-204-287	04/16/2020
DSC_5060	VA 2-204-287	04/16/2020
DJI_0286	VA 2-217-462	09/06/2020
DJI_0302	VA 2-217-462	09/06/2020
DJI_0310_VS2	VA 2-217-462	09/06/2020
DJI_0313	VA 2-217-462	09/06/2020
DSC_0015	VA 2-254-056	05/12/2021
DSC_0066	VA 2-254-056	05/12/2021
DSC_0069	VA 2-254-056	05/12/2021
DSC_0074	VA 2-254-056	05/12/2021

DSC_0089	VA 2-254-056	05/12/2021
DSC_0091	VA 2-254-056	05/12/2021
z_DSC7485	VA 2-217-463	09/07/2020
z_DSC7494	VA 2-217-463	09/07/2020
z_DSC7512	VA 2-217-463	09/07/2020
_dsc9768	N/A	N/A
DJI_0014	VA 2-226-981	10/13/2020
DJI_0018	VA 2-226-981	10/13/2020
DJI_0023	VA 2-226-981	10/13/2020
DJI_0029	VA 2-226-981	10/13/2020
DJI_0043	VA 2-226-981	10/13/2020
DJI_0058	VA 2-226-981	10/13/2020
DJI_0069	VA 2-226-981	10/13/2020
DJI_0990	VA 2-226-981	10/13/2020
DJI_0995	VA 2-226-981	10/13/2020
DJI_0997	VA 2-226-981	10/13/2020
DSC1044	VA 2-226-981	10/13/2020
DSC1049	VA 2-226-981	10/13/2020
DSC1056	VA 2-226-981	10/13/2020
DSC1064	VA 2-226-981	10/13/2020
DSC1071	VA 2-226-981	10/13/2020
DSC1084	VA 2-226-981	10/13/2020
DSC1089	VA 2-226-981	10/13/2020
DSC1094	VA 2-226-981	10/13/2020
DSC1104	VA 2-226-981	10/13/2020
DSC1109	VA 2-226-981	10/13/2020
DSC1114	VA 2-226-981	10/13/2020
DSC1130	VA 2-226-981	10/13/2020
DSC1207	VA 2-226-981	10/13/2020

DSC1261	VA 2-226-981	10/13/2020
DSC1277	VA 2-226-981	10/13/2020
DSC1303	VA 2-226-981	10/13/2020
DSC1328	VA 2-226-981	10/13/2020
DSC1344	VA 2-226-981	10/13/2020
DSC1354	VA 2-226-981	10/13/2020
DSC1364	VA 2-226-981	10/13/2020
DSC9081	VA 2-226-981	10/13/2020
DSC9086	VA 2-226-981	10/13/2020
DSC9096	VA 2-226-981	10/13/2020
DSC9101	VA 2-226-981	10/13/2020
DSC9125	VA 2-226-981	10/13/2020
DSC9136	VA 2-226-981	10/13/2020
DSC9151	VA 2-226-981	10/13/2020
DSC9194	VA 2-226-981	10/13/2020



14. At the time Nadeau created the Works, Nadeau applied copyright management information to some of the Works consisting of his company name, "Aremac Photography".

15. Nadeau's Works are protected by copyright but are not otherwise confidential, proprietary, or trade secrets.

16. At all relevant times Nadeau was the owner of the copyrighted Works at issue in this case.

INFRINGEMENT BY DEFENDANTS

17. Defendants have never been licensed to use the Works at issue in this action for any purpose.

18. On a date after the Works at issue in this action were created, but prior to the filing of this action, Defendants copied the Works.

19. On or about September 24, 2021, Nadeau discovered the unauthorized use of his Works on the Website.

20. Defendants copied Nadeau's copyrighted Works without Nadeau's permission.

21. After Defendants copied the Works, they made further copies and distributed the Works on the internet to promote the sale of goods and services as part of their real estate business.

22. Defendants copied and distributed Nadeau's copyrighted Works in connection with Defendants' business for purposes of advertising and promoting Defendants' business, and in the course and scope of advertising and selling products and services.

23. Nadeau's Works are protected by copyright but are not otherwise confidential, proprietary, or trade secrets.

24. Defendants committed copyright infringement of the Works as evidenced by the documents attached hereto as Exhibit 3.

25. Nadeau never gave Defendants permission or authority to copy, distribute or display the Works at issue in this case.

26. Nadeau notified Defendants of the allegations set forth herein on September 28, 2021 and October 12, 2021.

27. When Defendants copied and displayed the Works at issue in this case, Defendants removed Nadeau's copyright management information from the Works.

28. Nadeau never gave Defendants permission or authority to remove copyright management information from the Works at issue in this case.

COUNT I
COPYRIGHT INFRINGEMENT

29. Nadeau incorporates the allegations of paragraphs 1 through 28 of this Complaint as if fully set forth herein.

30. Nadeau owns valid copyrights in the Works at issue in this case.

31. Nadeau registered the Works at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

32. Defendants copied, displayed, and distributed the Works at issue in this case and made derivatives of the Works without Nadeau's authorization in violation of 17 U.S.C. § 501.

33. Defendants performed the acts alleged in the course and scope of its business activities.

34. Defendants' acts were willful.

35. Nadeau has been damaged.

36. The harm caused to Nadeau has been irreparable.

COUNT II
REMOVAL OF COPYRIGHT MANAGEMENT INFORMATION

37. Nadeau incorporates the allegations of paragraphs 1 through 28 of this Complaint as if fully set forth herein.

38. The Works at issue in this case contain copyright management information (“CMI”).

39. Defendants knowingly and with the intent to enable or facilitate copyright infringement, removed CMI from the Works at issue in this action in violation of 17 U.S.C. § 1202(b).

40. Defendants committed these acts knowing or having reasonable grounds to know that they will induce, enable, facilitate or conceal infringement of Nadeau's rights in the Works at issue in this action protected under the Copyright Act.

41. Defendants caused, directed and authorized others commit these acts knowing or having reasonable grounds to know that they will induce, enable, facilitate or conceal infringement of Nadeau's rights in the Works at issue in this action protected under the Copyright Act.

42. Nadeau has been damaged.

43. The harm caused to Nadeau has been irreparable.

WHEREFORE, Plaintiff JonPaul Marcel Nadeau prays for judgment against Defendants Mondial International Realty, LLC and Dmitry Saperov that:

a. Defendants and their officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. §§ 501, 1203;

- b. Defendants be required to pay Plaintiff his actual damages and Defendants' profits attributable to the infringement, or, at Plaintiff's election, statutory damages, as provided in 17 U.S.C. §§ 504, 1203;
- c. Plaintiff be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;
- d. Plaintiff be awarded pre- and post-judgment interest; and
- e. Plaintiff be awarded such other and further relief as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury of all issues so triable.

DATED: September 24, 2024

Respectfully submitted,

/s/ Joel B. Rothman _____
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